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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

SIERRA CLUB,  
Plaintiff,  
v.  
UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY,  
Defendant.

) No. C 06-5288 MHP  
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Plaintiff Sierra Club and Defendant United States Environmental Protection Agency (“EPA”), by and through their undersigned counsel, hereby stipulate and request the Court’s permission to vacate the initial case management conference that is presently scheduled for February 5, 2007. See Docket No. 8. The parties have reached a tentative settlement that would resolve all of the substantive issues in this case. The parties are in the process of seeking approval to lodge a consent decree from appropriate officials within the Department of Justice and EPA. In light of these developments, the parties believe that a case management conference

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1 is not necessary at this time. Either party may request that the Court schedule a case  
2 management conference in the future if one should become necessary.

3 **FOR PLAINTIFF SIERRA CLUB:**

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Dated: January 26, 2007

9 **FOR DEFENDANT EPA:**

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Dated: January 26, 2007

16 PURSUANT TO STIPULATION, IT IS SO ORDERED. THE INITIAL CASE  
17 MANAGEMENT CONFERENCE IS HEREBY VACATED.

18 Jan. 29, 2007

19 DATED



UNITED STATES DISTRICT JUDGE